

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HUNTAIR, INC.,)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No. 07 C 6890
CLIMATECRAFT, INC.,)	
)	
Defendant.)	
<hr style="width: 40%; margin-left: 0;"/>)	The Honorable David H. Coar
)	
CLIMATECRAFT, INC.,)	
)	
Counterclaim Plaintiff,)	
)	Magistrate Judge Morton Denlow
v.)	
)	
HUNTAIR, INC.,)	
)	
Counterclaim Defendant.)	

**CLIMATECRAFT, INC.’S RESPONSE TO HUNTAIR’S MOTION FOR
LEAVE TO FILE OVERSIZE BRIEF**

ClimateCraft does not object to the request Huntair makes to file an oversize brief. However, ClimateCraft does object to:

- presenting the motion for Monday, July 28 when the undersigned had told Huntair’s counsel that he would be on vacation from July 24 until August 5 (see attached email);
- including another declaration of an expert, weeks after the date the Court fixed for exchange of expert reports; and
- filing a new page 8 with a footnote a day after the briefs were due, when the footnote appears direct to footnote 6, p. 10 of ClimateCraft’s *Responsive Brief*.

ClimateCraft urges the Court to rule on both parties’ motions for extra pages without requiring counsel to appear, as the undersigned begins vacation tomorrow and be out until August 5.

Respectfully submitted,

Dated: July 23, 2008

/s/ Charles C. Kinne

Charles C. Kinne

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Attorney for ClimateCraft, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing
**CLIMATECRAFT, INC.'S RESPONSE TO HUNTAIR'S MOTION FOR LEAVE TO FILE OVERSIZE
BRIEF** was served by ECF upon:

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this 23rd day of July, 2008.

/s/ Charles C. Kinne
Attorney for ClimateCraft, Inc.

Charles C Kinne

From: Charles C Kinne [ckinne@kinnelaw.com]
Sent: Tuesday, July 15, 2008 11:44 AM
To: 'McCaulley Jr., Richard'
Subject: Scheduling

Rick –

As we discussed on the telephone just now, you represent Ms. Oster and Messrs. McClung and Steuber. You indicated the depositions of Ms. Oster and Mr. McClung cannot go forward as noticed, and agreed to a continuance of the subpoenas to a time we can mutually schedule, probably in August. We can also talk about the timing of Mr. Steuber's deposition, which I am trying to set in Mineral Point, Wisconsin.

You indicated you are on vacation from August 10-17. I am on vacation leaving next Thursday, July 24 and back in the office on Tuesday, August 5.

I agreed not to oppose your request to move the date for the parties to file their responsive claim construction briefs to Monday, and for Huntair to have up to 25 pages for its brief. I asked you not to oppose a similar request by ClimateCraft for pages and you said you'd get back to me on that.

Please let me know if I have misunderstood your comments or left anything out. Thank you.

Charles C. Kinne

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